

FRANKLIN COUNTY REQUEST FOR PROPOSAL

REQUEST FOR PROPOSAL FOR A GUARANTEED ENERGY SAVINGS CONTRACT

(amended 4-10-2014)

Franklin County
202 West Main Street, Benton, IL 62812

1. INTRODUCTION AND BACKGROUND

The objective of this Request for Proposal (RFP) is to solicit proposals for an energy project to assist Franklin County (The County) in becoming as efficient as possible through the installation of energy efficiency measures and optimal and efficient operation and maintenance of equipment. The County wishes to implement energy conservation measures on a guaranteed energy savings contract basis. This proposal may include, but is not limited to, implementation of energy equipment, repair, and modernization on a performance contracting basis as defined by the Energy Conservation and Savings Measures in the Illinois Compiled Statutes 50 ILCS 515.

Under this solicitation, it is expected that only one Energy Service Company (ESCO) will be selected to perform all of the work for The County. It is currently planned that The County will purchase, finance, and own any new equipment installed as a result of the project. It is expected that savings and/or guarantees provided by the energy service company selected pursuant to this RFP will fully offset the acquisition costs involved.

A copy of the RFP and specification can be obtained from Franklin County, 202 W. Main Street, Benton, IL 62812.

The County will evaluate all proposals, select an ESCO that best meets the needs of The County, and notify all participants of the results. The County reserves the right to accept and/or reject any proposals or parts thereof.

The County discloses that ConEdison Solutions has participated with the preparation of this RFP and has done a walkthrough of the buildings.

2. DEFINITIONS

2.1. ENERGY CONSERVATION MEASURE (ECM), a training program or facility alteration designed to reduce energy consumption or operating costs, and may include one or more of the following:

- Insulation of the building structure or systems within the building.
- Storm windows or doors, caulking or weather-stripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption.
- Automated or computerized energy control system.
- Heating, ventilating or air conditioning system modifications or replacements.
- Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made.

FRANKLIN COUNTY REQUEST FOR PROPOSAL

- 2.2. **GOVERNMENTAL UNIT**, a state government agency, department, institution, college, university, technical school, legislative body or other establishment or official of the executive, judicial or legislative branches of this state authorized by law to enter into contracts, including all local political subdivisions such as counties, municipalities, public school districts or public service or special service purpose district
- 2.3. **GUARANTEED ENERGY SAVINGS CONTRACT**, a contract for the implementation of one or more such measures. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and the energy savings are guaranteed to the extent necessary to make payments for the systems or services. Guaranteed energy savings contracts shall be considered public works contracts to the extent that they provide for capital improvements to existing facilities.
- 2.4. **OPERATIONAL SAVINGS**, expenses eliminated and future replacement expenditures avoided as a result of new equipment installed or services performed.
- 2.5. **QUALIFIED PROVIDER**, a person or business experienced in the design, implementation, and installation of energy conservation measures. The County is requiring that the firm have at least 15 years of experience in performance contracting.
- 2.6. **REQUEST FOR PROPOSALS**, or RFP, a negotiated procurement.

3. THE PROCUREMENT PROCESS

- 3.1. **SUBMISSION OF PROPOSALS**. Submitted proposals must be sealed and delivered to the office of Ms. Gayla Sink, no later than 12:00 PM (noon) on **Friday, April 25, 2014**. **NO EXTENSIONS WILL BE GRANTED**. No email, telephone, or faxed proposals will be accepted.

A mandatory pre-proposal conference will be held on Thursday, April 3, 2014, promptly at 10:00 AM, in the Franklin County Boardroom, 3rd Floor, at the Franklin County Courthouse, Public Square, Benton, IL. All ESCOs wishing to respond to this RFP must be present at the mandatory pre-bid meeting.

- 3.2. **SELECTION OF AN ESCO**. The selection of an ESCO to provide energy conservation measures through a guaranteed energy savings contract will be based solely on The County's evaluation of the written information submitted in response to this RFP, and follow up interviews.
- 3.3. **LETTER OF INTENT**. The County may issue a Letter of Intent (LOI) to the selected ESCO upon resolution of the County Council.
- 3.4. **EXECUTION OF GUARANTEED ENERGY SAVINGS CONTRACT AND FINANCING DOCUMENTS**. The County will execute the guaranteed energy savings contract with the selected ESCO in accordance with Illinois Compiled Statutes 50 ILCS 515.
- 3.5. **PROPOSAL TECHNICAL QUESTIONS**. Questions concerning the technical specifications relative to this proposal package should be directed in writing to:

Ms. Gayla Sink
202 W. Main Street
Benton, IL 62812
gaylasink@franklincountyil.org

FRANKLIN COUNTY REQUEST FOR PROPOSAL

3.6. TIMETABLE FOR PROCESS

ACTION	DATE
Issuance of RFP	March 28, 2014
Submission of Proposals	April 25, 2014
Selection of ESCO	TBD
Letter of Intent Delivered to Selected ESCO	TBD
Investment Grade Audit	TBD
Execution of Contract and Financing Documents	TBD

4. PROCEDURES

4.1. PROPOSAL REQUIREMENTS

- 4.1.1. Interested parties are to respond with sealed proposals (1 original and 6 copies) for a guaranteed energy savings contract. Proposals should be marked “RFP for Guaranteed Energy Savings Contract.”
- 4.1.2. Proposals are to be prepared simply, providing straight forward and concise answers to all questions in the format requested. Repetitions of the terms and conditions of this proposal request, without additional explanation, will not be considered sufficiently responsive. The proposal document should respond completely to the requirements indicated in this request.
- 4.1.3. Proposals must be received on or before the time and date specified at the location noted below:
- Franklin County
202 W. Main Street
Benton, IL 62812
Deadline: 12:00 PM (noon) on Friday, April 25, 2014
- 4.1.4. Proposals received after the time and date specified, whether delivered or mailed, will not be considered. No incomplete proposals will be considered. Proposers must answer all questions and complete any forms requested.
- 4.1.5. Proposal information is restricted and not publicly available until after the award of the contract.
- 4.1.6. All submissions become the property of The County and will not be returned to the proposer.
- 4.1.7. Prevailing Wages shall apply to any and all work performed under this RFP.
- 4.1.8. The successful ESCO will be required to provide a performance bond. Proposers shall acknowledge their capabilities to provide a performance bond of the total construction costs at the time the contract documents are signed.

4.2. PREPARATION OF PROPOSALS

FRANKLIN COUNTY REQUEST FOR PROPOSAL

4.2.1. Proposers are expected to examine any information and instructions included in the proposal package. Failure to do so will be at the bidder's risk.

4.2.2. Receipt of amendments/addendum by bidders must be acknowledged by the time of the proposal opening. Addendums received prior to proposal submittal should be acknowledged in the appropriated space on the proposal document. Addendums received after proposal submittal should be acknowledged by email to Ms. Gayla Sink (gaylasink@franklincountyil.org)

4.3. MODIFICATION OR WITHDRAWAL OF PROPOSALS

A response to proposal that is in the possession of The County may be withdrawn by the proposer in person or by written request up to the time of the proposal opening. Responses to proposals may not be withdrawn after the opening.

4.4. INTERPRETATIONS

No oral interpretations will be made for proposers as to the meaning of the RFP. Request for interpretations to the meaning of the RFP must be made in writing to The County no later than 12:00 PM (noon) on Wednesday, April 9, 2014. Failure on the part of the successful proposer to do so shall not relieve him/her of the obligations to execute such services in accordance with a later interpretation by The County. All interpretations made to the proposers will be issued in the form of addenda to the RFP and will be sent to all proposers. Such addenda are to be covered in the proposal and in closing the contract, they become a part thereof.

4.5. CONFIDENTIAL INFORMATION

4.5.1. It is to be understood that proposals made in response to this RFP may contain technical, financial, or other data, the public disclosure of which would cause substantial injury to the proposer's competitive position or that would constitute a trade secret. To protect this data from disclosure, the proposer should specifically identify the pages of the proposal that contain such information by properly marking the applicable pages and by inserting the following notice in the form of its proposal.

Notice The data on page _____ of this proposal identified by an asterisk () or marked along the margin with a vertical line, contain information which are trade secrets, disclosure of which would cause substantial injury to the proposer's competitive position. The proposer requests that such data be used only for the evaluation of its proposal, but understands the disclosure will be limited to the extent that Franklin County determines is proper under federal, state and local law.*

4.5.2. The County assumes no responsibility for disclosure or use of unmarked data. In the event properly marked data is legally requested, the proposer will be advised of the request and may expeditiously submit to The County a detailed statement indicating the reasons it has for believing that the information is exempt from disclosure under federal, state, and local law. The statement will be used by The County in making its determination as to whether or not disclosure is proper under federal, state, and local law. The County will exercise care in applying this confidentiality standard, but will not be held liable for any damage or injury that may result from any disclosure that may occur. Proposer agrees to assume and pay for all costs incurred by The County, including attorney's fees, awarded by the court if the proposer requests The County to resist disclosure of material provided to The County by the proposer, provided The County determines that said material is exempt under federal, state or local law.

FRANKLIN COUNTY REQUEST FOR PROPOSAL

5. MINIMUM PROPOSER(S) ELIGIBILITY REQUIREMENTS

- 5.1. The County will only consider proposals from qualified ESCOs. Each responder must submit documentation of their accreditation by the National Association of Energy Service Companies (NAESCO) as an energy services provider (ESP). Non-accredited firms will not meet the minimum eligibility requirements for this RFP.

6. AWARD

- 6.1. A contract may be awarded to the firm The County determines submitted the best proposal complying with the requirements of the RFP. The selected ESCO will be notified at the earliest practical date. The county reserves the right not to enter into a contract and each proposer agrees that there is no guarantee that a contract will be awarded at the conclusion of the review of proposals.
- 6.2. The County hereby notifies all proposers that minority business enterprises will be afforded full opportunity to submit proposals in response to this request and will not be discriminated against on the grounds of race, religion, color, sex, national origin, or ancestry in consideration of an award. Proposer hereby agrees that should proposer be awarded this contract, proposer will not discriminate against any person who performs work there under because of race, religion, color, sex, national origin, or ancestry.
- 6.3. The County reserves the right to reject any or all proposals, to waive any informalities or technical defects in proposals.

7. SCOPE OF SERVICES REQUESTED

- 7.1. The County is seeking to establish the specific qualifications of the responding ESCOs to provide the comprehensive array of energy services required to deliver a comprehensive guaranteed energy savings project. These services may include, but are not limited to:
- Performance of an investment grade energy audit and analysis
 - Design and specification of equipment and systems to be used in providing energy efficiency improvements
 - Services associated with the procurement of new equipment
 - Project management of the installation
 - System commissioning
 - Training of facility, custodial, and administrative staff on energy efficient practices
 - Services in connection with arranging financing for the project
 - Measurement and verification of energy savings
 - Energy savings guarantee

FRANKLIN COUNTY REQUEST FOR PROPOSAL

8. EVALUATION CRITERIA

The County will award a contract to the ESCO with the most responsive proposal, which in the judgment of The County best meets its needs. The criteria for making this evaluation will be based on the following 100% scale:

Executive Summary	20%
Experience & Qualifications	20%
Technical Approach & Facility Solutions	20%
Project Management	20%
Financial Approach & Guarantee	20%
Total Points in Scale	100%

9. REQUIREMENTS FOR PROPOSAL CONTENTS

9.1. EXECUTIVE SUMMARY

9.2. EXPERIENCE AND QUALIFICATIONS

Provide information that describes your firm's experience with energy services and performance contracts most closely associated with the services requested in this RFP. The firm's experience summary should include the following information:

- 9.2.1. Firm, address, personal contacts
- 9.2.2. Company history (years in business, organizational structure, parent company, etc.)
- 9.2.3. Ownership structure
- 9.2.4. Documentation of accreditation by the National Association of Energy Service Companies as a full service Energy Service Provider (ESP).
- 9.2.5. Company organizational chart
- 9.2.6. Information regarding the capabilities and experience of people who will be assigned to this project. Identify specifically which of these people are currently in the full-time employment of your company. Describe the role that each of these people would play in performing the contract. ESCO must have LEED-AP and professional engineers on their staff.
- 9.2.7. Provide professional resumes for key people. Indicate the past projects worked on, education and professional licensing of each person as it may relate to this project.
- 9.2.8. A five-year summary of contracts for guaranteed energy savings contract services.
- 9.2.9. A list of government and municipalities projects completed by firm.
- 9.2.10. Provide a minimum of five complete project references. Project references are to be from projects completed under contract with the responding ESCO.
- 9.2.11. Provide a list of all litigation involving guaranteed energy savings contracts the company has been part of during the last seven years. Provide a brief summary of the facts and issues involved in each matter

FRANKLIN COUNTY REQUEST FOR PROPOSAL

9.2.12. Other pertinent information on Experience or Qualifications

10. TECHNICAL APPROACH & FACILITY SOLUTIONS

- 10.1. Approach to identifying, evaluating, recommending, and designing facilities improvements. Preference will be given to the ESCO that demonstrates an understanding of the existing building conditions, systems, operations, and schedules.
- 10.2. Approach to equipment selection
- 10.3. Describe your firm's subcontracting process

11. PROJECT MANAGEMENT

- 11.1. Clear assignment of responsibility for various project tasks to specific individuals. Project Manager(s) must be full-time company employee(s) and have over 15-years professional experience.
- 11.2. Ability to manage the construction processes and effectively communicate ongoing progress with The County.
- 11.3. Ability to plan and complete all phases of the project on schedule and in a manner that does not unnecessarily interrupt the facilities' occupants.
- 11.4. Ability to coordinate project construction with local utilities, subcontractors, equipment suppliers, and facility personnel.
- 11.5. Ability to provide a schedule of project milestones, which will become part of the final contract.

12. FINANCIAL APPROACH AND GUARANTEE

- 12.1. Demonstrated ability to provide or coordinate project financing.
- 12.2. Financial soundness and stability of the ESCO. Provide a copy of firm's most recent audited financial report.
- 12.3. Provisions for the reimbursement to The County of any shortfall of guaranteed energy savings projected in the contract.
- 12.4. Ability to provide a sufficient bond to The County for the installation and faithful performance of all the measures included in the guaranteed energy savings contract.
- 12.5. Ability to provide insurance coverage for all phases of the project.